



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,135	06/29/2005	Ameyrtharatnarajah Nathanmanna	747P	4390

41511 7590 08/02/2006

THOMAS M. FREIBURGER  
55 MAIN STREET  
SUITE 200  
TIBURON, CA 94920

EXAMINER

DURHAM, NATHAN E

ART UNIT PAPER NUMBER

3765

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/541,135

**Applicant(s)**NATHANMANNA,  
AMEYRTHARATNARAJAH**Examiner**

Nathan E. Durham

**Art Unit**

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 10 is/are rejected.
- 7) ☐ Claim(s) 3-7 and 11-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Information Disclosure Statement*

The listing of references in the specification is not a proper information  
5 disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications,  
or other information submitted for consideration by the Office, and MPEP  
§ 609.04(a) states, "the list may not be incorporated into the specification but  
must be submitted in a separate paper." Therefore, unless the references have  
been cited by the examiner on form PTO-892, they have not been considered.

10

### *Claim Objections*

Claim 10 is objected to because of the following informalities: In claim 10  
(lines 3-4) the applicant's statement, "in that one of the latch means and the  
catch means" is unclear because the word "and" refers to more than one and  
15 thus there would have to be a combination of a particular latch means and  
another particular catch means. Doing this would render the continuation of the  
statement, "is formed as a series of ratchet teeth and the other is formed as at  
least one projection to engage with said ratchet teeth" unclear.

Therefore, for the purpose of this office action, the term "or" will replace  
20 the term "and". The latch means will be one entity and the catch means will be  
another entity rather than separating them further into two latching components  
and two catching components.

Appropriate correction is required.

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

5 Office action:

A person shall be entitled to a patent unless –

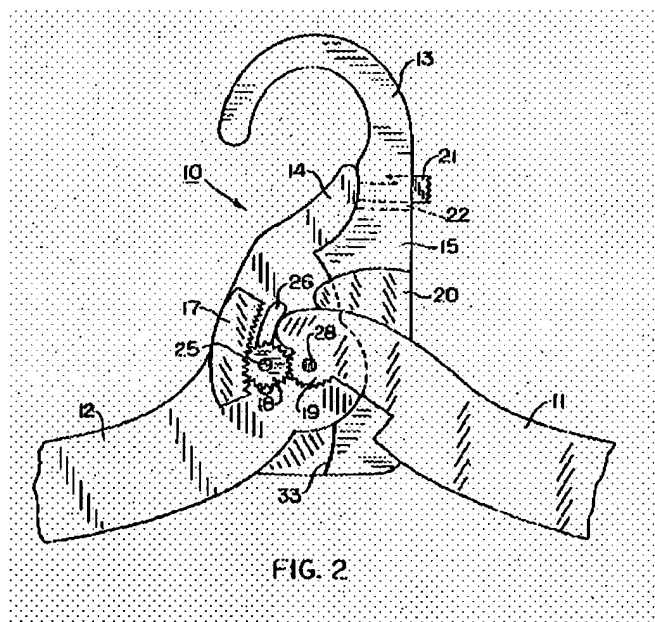
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10

Claims 1-2 and 10 rejected under 35 U.S.C. 102(b) as being anticipated by FULTON (U.S. Patent 4,524,890).

Regarding claim 1, FULTON discloses a foldable clothes hanger comprising two foldable arms (11,12) mounted pivotally on a common axis (28) (Fig. 2). Each arm of FULTON has a part provided with a toothed arcuate rack (17, 19) for the engagement of a pinion (18) that is mounted pivotally on an adjacent parallel axis (25) (Fig. 2).

15

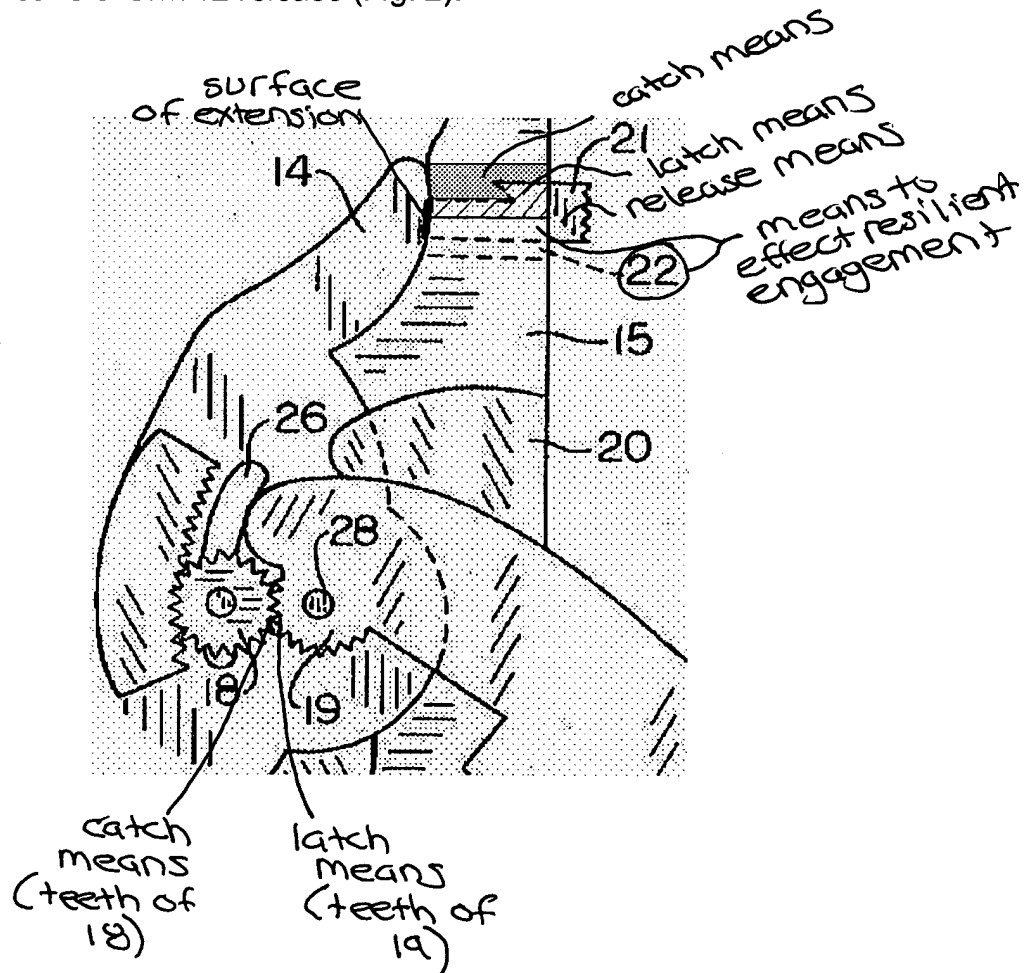


Art Unit: 3765

FULTON shows each of the arms carrying a generally arcuate limb provided with latch means (shown in figure below). The hanger of FULTON further comprises catch means to engage the latch means (shown in figure below). FULTON discloses means to effect resilient engagement (21, 22)

5 between the latch means and the catch means. FULTON also discloses manually operable release means (21, shown in figure below) to counter substantially simultaneously the resilient engagements and permit substantially simultaneous disengagement of the latch means and catch means (Fig. 2).

Operating the release means allows the pinion to move freely causing the latch  
 10 means and catch means of arm 11 to release at the same instance when the latch and catch means of arm 12 release (Fig. 2).



Art Unit: 3765

Regarding claim 2, FULTON discloses the hanger as discussed above characterized in that each of the arms (11, 12) carries a generally arcuate limb provided with arcuatly extending latch means (shown in figure above), engageable by catch means (shown in figure above) and in that the means to effect resilient engagement is common to the catch means associated with both the arcuate limbs (Fig. 2). The latch means, shown in the figure above, for arm 12 is considered arcuatly extending because the surface (shown in figure above) where the latch means is extending from is arcuate therefore the latch means is arcuatly extending (Fig 2). The phrase "means to effect resilient engagement is common to the catch means" is a broad phrase due to the term "common" therefore the phrase is interpreted as meaning the means to effect resilient engagement has to be a part of the same structure as the catch means (part of the hanger). The means to effect resilient engagement is part of the clothes hanger therefore it "is common" to the catch means associated with both the arcuate limbs.

Regarding claim 10, FULTON discloses one of the latch means or the catch means is formed as a series of ratchet teeth (19) and the other is formed as at least one projection to engage with the ratchet teeth (18) (Fig. 2).

Art Unit: 3765

Claims 3-7 and 11-20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5

***Conclusion***

The prior art made of record, cited on attached form, PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan E. Durham whose telephone number  
10 is (571) 272-8642. The examiner can normally be reached on Monday - Friday,  
7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary L. Welch can be reached on (571) 272-4996. The  
15 fax phone number for the organization where this application or proceeding is  
assigned is 571-273-8300.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

5 Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-10 9199 (IN USA OR CANADA) or 571-272-1000.

NED

15

  
GARY L. WELCH  
PRIMARY EXAMINER